

July 14, 2006

Marlene H. Dortch, Secretary  
Office of the Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street, SW  
Washington, DC 20554

Re: CC Docket No. 94-102  
95% Location-Capable Handset Penetration

**August 1, 2006 Status Report  
North Dakota Network Co.**

Dear Ms. Dortch:

On March 17, 2006, the FCC granted North Dakota Network Co. ("NDNC") a temporary waiver, or temporary stay, of the requirements of Section 20.18(g)(1)(v) of the Rules, within which to ensure that penetration of location-capable handsets among its subscribers reaches 95 percent. Rule Section 20.18(g)(1)(v) specifies that the 95 percent penetration level be reached no later than December 31, 2005. The temporary waiver, or temporary stay, has been granted up to and including September 30, 2006. This accounts for a nine (9) month temporary waiver (or temporary stay).

Per the FCC Order, FCC 06-36, in order to monitor compliance in accordance with the relief of the December 31, 2005 95% handset penetration requirement, NDNC is obligated to submit status reports to the FCC February 1, May 1, and August 1, until September 30, 2006.

These reports shall include status on: (1) the number and status of Phase II requests from PSAPs (including those requests NDNC may consider invalid); (2) the dates on which Phase II service has been implemented or will be available to PSAPs served by NDNC's network; (3) the status of NDNC's coordination efforts with PSAPs for alternative 95% handset penetration dates; (4) NDNC's efforts to encourage customers to upgrade to location-capable handsets; (5) the percentage of NDNC's customers with location-capable phones; and (6) until NDNC satisfies the 95% penetration rate, detailed information on its status in achieving compliance and whether it is on schedule to meet the revised deadline.

The filing of this status report meets the FCC's aforementioned requirement.

**Item 1: The number and status of Phase II requests from PSAPs (including those requests it may consider invalid)** – On October 1, 2004, NDNC received one (1) request for Phase II service from the North Dakota Association of Counties. Implementation completed on October 25, 2005.

**Item 2: The dates on which Phase II service has been implemented or will be available to PSAPs served by NDNC's network** – On October 25, 2005, NDNC became E911 Phase II compliant and implemented its request from the North Dakota Association of Counties for Phase II service.

**Item 3: The status of NDNC's coordination efforts with PSAPs for alternative 95% handset penetration dates** – At this time, NDNC has not been in contact with the PSAPs regarding this issue. We are confident that we will meet the extended September 30, 2006 95% handset penetration date granted to us by the FCC. If for some unforeseen reason we need to involve the PSAPs, NDNC will do so immediately.

**Item 4: NDNC's effort to encourage customers to upgrade to location-capable handsets** – NDNC retail representatives continue to follow through with customers who did not respond to the direct mailing offering a free location-capable handset to replace their non-location capable handset, plus waiving the \$15 activation fee. NDNC has also placed a message reminder on monthly wireless bills, displayed posters in retail store and advertised handset promotion on company website.

**Item 5: The percentage of NDNC's customers with location-capable phone** – As of June 30, 2006, NDNC has 94% of its customers with location-capable handsets.

**Item 6: Detailed information on NDNC's status in achieving compliance and whether NDNC is on schedule to meet the revised deadline (September 30, 2006)** – From April 30, 2006 to May 31, 2006, NDNC showed an increase of 3.8% of customers who have location-capable handsets. This increase is due to the direct mailing offering free phone with two-year contract and waiver of the activation fee.

NDNC is scheduled to meet the revised September 30, 2006 95% location-capable handset penetration deadline.

Respectfully submitted,  
NORTH DAKOTA NETWORK CO.



John A. Reiser  
Chief Operations Officer/Assistant Manager